Date: 3/3/2004 Time: 11:10:08 AM

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant:

Martin et al.

Art Unit: 275

CENTRAL FAX CENTER

Serial No.:

09/653,997

Examiner: A. M. Mofiz

MAR 0 3 2004

Filed Title

September 1,2000

MATERIAL SURFACE PROCESSING WITH A LASER THAT HAS A

SCAN MODULATED EFFECTIVE TO ACHIEVE MULTIPLE WORN

LOOKS

Assistant Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450 Fax: 1-703 872-9306

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Sir:

In response to the Notice of Abandonment mailed January 7, 2004, Applicant respectfully traverses the holding of abandonment, and respectfully submits that the proper papers were timely filed, and that the case should <u>NOT</u> have become abandoned.

As background, a Notice of Allowance was mailed August 26, 2003, and a Request for Continued Examination and Information Disclosure Statement was faxed October 20, 2003. A copy of the Request for Continued Examination and Information Disclosure Statement (with only the first page of the reference being re-faxed herein),

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

3-1-0

Date of Fatsimile

Signature

Typed or Printed Name of Person

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S rial No.: 09/799,460

and the fax answerback received from the USPTO, is attached. Since these papers were <u>TIMELY</u> filed, the application should <u>NOT</u> have been held abandoned.

Therefore, Applicant hereby requests that the Patent Office WITHDRAW the holding of abandonment, and take action based on the RCE and IDS as previously faxed.

As should be evident from the above, applicant does not intend for this application to have become abandoned.

NO FEE SHOULD BE NECESSARY SINCE ALL PAPERS WERE TIMELY FILED. However, if necessary, Please charge any fees due in connection with this response to Deposit Account No. 50-1387.

Respectfully submitted.

Date: 3-/-04

Scott C. Harris Reg. No. 32,030

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Attadment: PTownswerbick RCE, IDS, ref Pg1